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MARTIN VAN BUREN
AND
THE INTERNAL IMPROVEMENTS QUESTION

A Thesis
Presented to the
Department of History
and the
Faculty of the College of Graduate Studies
University of Nebraska at Omaha

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts

by
Paul R. Alwine
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PREFACE

The purpose of this study is to reflect the impact Martin Van Buren exerted upon the much debated question of Federal responsibility for financing road and canal construction. Van Buren's early life of hardship and his struggle to lift himself, virtually by his "bootstraps", from the ranks of mediocrity is omitted. Emphasis has been directed to service in the New York Senate, the United States Senate, Secretary of State under Andrew Jackson, Vice-President and as President.

This future President of the United States (1837-1841) served as an advocate for the various forces opposing the trend towards greater Federal control over the lives of the citizens of the new nation (1826-1831). During the latter period, the mood and temper of the people appears to have been more correctly diagnosed by Van Buren than by his chief political competitors Henry Clay, John C. Calhoun, and Daniel Webster. As a result, Van Buren's popularity and prestige continued to increase and his carefully laid plans to become President came to fruition.

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I wish to express my sincere appreciation to Professor Frederick W. Adrian for his encouragement and guidance during the preparation of this study and to Miss Ella Jane Dougherty, Interlibrary Loan Librarian of the Gene Eppley Library, for her generous and cheerful assistance in securing needed research materials.

Most of all, I give special thanks to my wife, Cecilia, for her support and understanding during my long years of off-duty educational efforts. Her co-cooperation, encouragement and clerical help was of inestimable value during the past ten years.

University of Nebraska at Omaha
November 7, 1968

Paul R. Alwine

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CHAPTER I

INTRODUCTION

The influence Martin Van Buren had upon the question of internal improvements has long been a matter of controversy. That internal improvements in this new nation were vital to its progress, unity, and well-being, Van Buren did not question. He did, however, like Jefferson, Madison, Monroe, and later Jackson, question the constitutionality of using money collected from all states for the benefit of individual states and those promoting internal improvement projects at Federal Government expense. He seemed to come to this conclusion about 1825, during the latter half of his first term in the United States Senate. Prior to this time, Van Buren supported internal improvements as evidenced by his voting record in the United States Senate. Also, while serving in the Senate of the State of New York, his efforts to secure passage of the Erie Canal Bill in 1817 furnished further evidence of his approval of expending public funds for internal improvements.¹

¹Martin Van Buren, Presidential Papers (Washington: Library of Congress, 1960), microfilm, April 15, 1817. Hereafter cited as Van Buren Papers.

Support for the construction of roads and canals was not a new idea and, like early governmental leaders, Van Buren realized the importance of binding the union together more strongly by means of roads, canals, and other public works. Public funds, in small amounts, were provided as early as 1789 to improve aids to navigation, such as lighthouses, beacons, buoys, and docking facilities.² Federal support for these projects continued in an unbroken sequence until 1830 when President Jackson vetoed a bill of this nature. His veto was based on an abnormal increase in manpower to operate existing lighthouses and the authorization to conduct preliminary surveys of a number of projects that were definitely of a local nature.³ When the objectionable portions of the bill were removed in 1831, Jackson signed it.⁴

Almost from the beginning the National Government had given encouragement and support to the construction of roads to facilitate the transportation of the mails. As early as 1792 an act was passed to allow the Postmaster General to extend the line of posts as needed. Because of the lack of funds and the large war debt, a plan was devised to defray

²Public Statutes at Large of the United States of America (ed.), Richard Peters (Boston: Charles C. Little and James Brown, 1848), I, 53-54. Hereafter cited as Public Statutes.

³James D. Richardson (ed.), Messages and Papers of the Presidents (Washington: Bureau of National Literature [c. 1892/]), II, 508.

⁴Public Statutes, IV, 488.

these costs without an outlay of cash. This plan provided that the contractor performing the work could collect, for a period not to exceed eight years, "all the postage which shall arise on letters, newspapers and packets conveyed by any such post. . . ." ⁵ Assistance was also provided to sparsely settled western regions by means of donations of land, in lieu of cash, to contractors who agreed to lay out and make roads for transporting the mail. ⁶

During the first twenty years of the Republican era the question of financing internal improvements was debated vigorously at the national level. A few road projects were approved, notably the Cumberland or National Road plus some low cost roads constructed mainly in the territories. The Cumberland Road project was initiated in 1806 when Congress and the President approved a bill to provide \$30,000 for surveying the route of a projected road from Cumberland, Maryland, westward to the Ohio River. ⁷

⁵Ibid., I, 233.

⁶Annals of Congress, 4th Cong., 1st Sess., 65-66. The first such grant was made in 1796 to Ebenezer Zane. In addition to cutting a road through the forests of Ohio, from Wheeling (on the Ohio River) westward to Limestone (Maysville) Kentucky, Zane established ferries where the road crossed the "Muskingum, Hocking, and Sciota rivers." (ibid., 76.). The original spelling, punctuation and sentence structure of quoted material has been maintained throughout this study.

⁷Public Statutes, II, 358-359. When Ohio was admitted as a state in 1803, Gallatin had proposed, and Congress accepted, a plan whereby one-twentieth of the money received from the sale of public land in Ohio would be reserved for the construction of a road from the Atlantic across Ohio. (This percentage was later reduced to two percent.)

Also in 1806 a request for \$5000 was approved to conduct a survey of the coast of North Carolina from Cape Hatteras to Cape Fear, including offshore shoals. The purpose of this project was to determine the feasibility and need for additional navigation and safety devices.⁸ Later appropriations included \$6000 in 1811 and \$800 a year later for surveying and opening roads in Ohio;⁹ \$8000 for the same purpose in the Illinois territory in 1816;¹⁰ and \$4000 for a road through Tennessee in the following year.¹¹ For the next few years Federal assistance for internal improvements was restricted to the construction of the Cumberland Road and for the maintenance and construction of lighthouses. As a result of the lack of Federal assistance, internal improvement projects during this early period were sponsored by state or local governments, by private sources, or by a combination of these.¹²

Van Buren was aware of the need for better roads and canals when he was elected to the New York Senate in 1812. The youngest member to be elected to this high office,¹³ he soon became active in the support of such projects.

⁸Ibid., 375.

⁹Ibid., 668-670.

¹⁰Ibid., III, 318.

¹¹Ibid., 377.

¹²George Rogers Taylor, The Transportation Revolution (New York: Rinehart and Company, [c. 1951], pp. 24-25.

¹³Louis W. Koenig, The Invisible Presidency (New York: Rinehart and Company, Inc., [c. 1960]), p. 91.

CHAPTER II

EARLY INVOLVEMENT

Martin Van Buren's first involvement in the vital question of internal improvements occurred in 1814. At that time the question of suspending all activity in connection with the proposed Erie Canal, connecting Lake Erie with the Hudson River, was under discussion in the New York Senate.¹ Prior to this time money had been appropriated to conduct preliminary work required before construction could be started. One of the principal backers of the project was De Witt Clinton who headed a strong faction of the Republican party in upstate New York. Opposing Clinton was a New York City or Tammany Hall faction of the Republican party of which Van Buren was a member.

The War of 1812 was raging and the Tammany Hall group introduced a measure to repeal the Erie Canal Bill passed by the legislature in 1812. While no actual construction had been started, surveys had been made and plans drawn in anticipation of an early start.² After the debate ended

¹Ronald E. Shaw, Erie Water West (Lexington: University of Kentucky Press, [c. 1966/]), p. 54.

²Archer Butler Hulbert, Historic Highways of America: The Great American Canals (Cleveland: The Arthur H. Clark Company, 1904), XIII, 59. Cited in Laws of New York, 1814.

a vote to suspend all activity was recorded. Despite his affiliation with Tammany Hall, Van Buren voted against suspension because the canal project appeared sound and would improve transportation and communication with the frontier area.³

The canal project remained dormant until after the war when other states with cities which were trade rivals of New York began to plan roads and canals leading into the interior. Pennsylvania, Maryland, and Virginia were progressing with plans for such improvements or were seriously considering projects to facilitate travel to and from frontier areas. It seemed certain to many New York business and political leaders that such improvements would reduce the importance and prestige of their area. Thus her neighbors' efforts at self-help, rather than petitioning the Federal Government for aid, fanned a desire on the part of many of the people of New York for immediate construction of the Erie Canal.

Clinton became governor in 1816 and requested legislative approval of the plan, cancelled in 1814, to construct the canal. The ensuing debate on the request was held late in the session, and there was much opposition to the bill because it was deemed "impracticable" by many Tammany Hall

³Shaw, op. cit., p. 54.

Republicans. Tammany Hall also opposed the bill on a partisan basis because it was

Brought forward principally thro' the influence of Mr. Clinton, at the most depressed period of his political career, with views rather to his own than to the interest of the State.⁴

Van Buren was well aware of the prejudice that existed regarding Clinton but discounted it as a reason to oppose the bill already passed by the House of Assembly. The young senator could see great merit to the plan as presented; there did appear, however, to be a need for "further estimates and surveys. . . ." Van Buren successfully moved that all references to actual construction be deleted and recommended that the part of the bill providing "further estimates and surveys" be approved. The bill was passed as amended and the necessary work was accomplished before the next legislative session met in early 1817.⁵

After helping to defeat the start of canal construction in 1816, Van Buren studied the question more thoroughly. As a result of his research and analysis, he prepared a series of notes for a speech he planned to make in support of the bill during the next legislative session.⁶ The notes he

⁴ Martin Van Buren, The Autobiography of Martin Van Buren: Annual Report of the American Historical Association for the Year 1918 (ed.), John C. Fitzpatrick (Washington: Government Printing Office, 1920), II, 84. Hereafter cited as Autobiography.

⁵ Ibid.

⁶ Ibid.

prepared were labeled "Remarks on the Great Canal extracted from various publications on the Subject."⁷ According to Van Buren the cities that would benefit most from the canal were New York City and Albany, because it appeared certain that trade would be diverted from the Finger Lake areas in mid and western New York as well as the northern area bordering Lake Ontario.⁸ He predicted that flour could be shipped from Buffalo to New York City for \$0.55 when the canal was complete while the existing rate for shipping the same barrel from Buffalo to Montreal, a distance of only 350 miles, would remain at \$1.50.⁹

He was of the opinion that there would be a rapid growth in the transportation of grain from the yearly rate of "3,700,000 Bushels . . . to 40,000,000."¹⁰ Benefits would also result from shipments of lumber, furs, and other products of the farm from the areas around Lakes Erie, Michigan, and Huron. He maintained that trade would be diverted from Montreal, Philadelphia, and Baltimore and would result in an increase in prestige and commercial advantages for New York City and Albany. Van Buren agreed with Clinton and other supporters of the canal bill that, after

⁷ Van Buren Papers, April 15, 1817.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

construction was completed, New York would "step in between these rival places and take trade from them. . . ."11

In addition to the interstate trade gained from these three rival ports, it seemed evident, from a geographical standpoint, that trade from Europe to the western area, by way of New Orleans, would also give New York additional trade. The notes revealed that "Pittsburgh and Louisville were the great depots of foreign merchandise furnished to the Western parts of Virginia, Ohio, Indiana, and Kentucky."12 Van Buren saw that the cost in time and money would be greatly reduced if merchandise were shipped to these depots by way of the Erie Canal. In 1816 it required forty-five days and cost three dollars per hundredweight to ship goods from New Orleans to Pittsburgh, after being received from Europe. One reason for the high cost of transportation to interior ports was the losses of cargoes and boats due to snags and other obstructions in the Ohio and Mississippi rivers. The Federal Government had not as yet begun to aid river navigation and insurance premiums were costly.13

After a thorough study of the pros and cons of construction, Van Buren was able to deliver "an elaborate speech"

¹¹ Ibid.

¹² Ibid.

¹³ Annals of Congress, 18th Cong., 2d Sess., I, 361. The first aid from the Federal Government for inland shipping was not granted until March, 1823.

during the debate in the legislature on the canal bill.¹⁴ Van Buren skillfully reviewed the previous attempts to construct the canal from 1810, and the public support that existed earlier and still existed. In the course of the debate, Van Buren "made a vital change in the bill as it came from the assembly."¹⁵ As a result of this change construction costs to build the canal were guaranteed by the Canal Fund,¹⁶ thus enhancing the sale of bonds.

After the debate was concluded and the final votes were counted, Van Buren's vote, plus four other Tammany Hall Senators, was enough to carry the bill. Historian Jabez Hammond, a frequent Van Buren critic, said that "perhaps it is not too much to say that this result was produced by the efficient and able efforts of Mr. Van Buren, who was an early friend of the measure."¹⁷ Clinton quickly signed the bill and construction was begun almost immediately, for the resources of the state were pledged to back the required canal bonds. Financial backing of this project by the state became a very important cornerstone of Van Buren's future political beliefs.

¹⁴ Van Buren, Autobiography, 85.

¹⁵ Shaw, op. cit., pp. 74-75.

¹⁶ Ibid.

¹⁷ Jabez D. Hammond, The History of Political Parties in the State of New York (Albany: C. Van Benthuysen, 1842) I, 441.

The importance of Van Buren's support was reflected later in a letter from David Hosack, a New York political writer, in which he asked Van Buren for a copy of the speech on the Erie Canal because it had done much "to change the current of opinion in that body at a time when great opposition existed." Hosack was preparing a speech to honor De Witt Clinton and said he would "have occasion to speak of the Erie Canal and of those who contributed to its accomplishment."¹⁸

While Van Buren served in the Senate, numerous attempts were made by Tammany Hall to halt construction, but he took no part in these maneuvers. Attempts were also made to pass bills authorizing the construction of canals that would intersect the Erie Canal. Van Buren could understand the desires of the backers of such proposals to aid their areas of interest, but he voted against the start of new projects while work was still in progress on the main canal. Until he was elevated to the office of United States Senator in 1821, he

Supported with fidelity and zeal every measure calculated to advance its New York's Canal policy and opposed as zealously, every attempt to prostitute that great interest to party purposes.¹⁹

¹⁸David Hosack to Martin Van Buren, October 10, 1828, Van Buren Papers.

¹⁹Van Buren, Autobiography, 85.

The cost of construction was high and Van Buren did not want to add to the burden of financing until the entire canal was completed. By the time the 363 mile canal was opened for traffic in 1825, it had cost the sum of \$7,700,000 or \$19,255, per mile, which proved to be slightly less than half the cost of later canals such as the Chesapeake and Ohio Canal.²⁰ The Erie was an immediate success and the original cost was paid from tolls in less than nine years. Van Buren's faith in Clinton's predictions of success were fulfilled over and over again as this great "blood vessel" nourished the new western areas of the state, western Pennsylvania, Ohio, and the Great Lakes region in general.

The opening of this new artery of traffic not only reduced the time, cost and discomfort of travel by road, but also expedited the settlement of western areas. Van Buren's help in securing passage of the bill had more far-reaching effects than he dreamed of, for construction of the Erie Canal started or spurred crash programs of building by other states that ended with the Panic of 1837 and the advent of the railroad.

While Van Buren served his second term as a state Senator, proponents of internal improvements at the national

²⁰Hulbert, op. cit., 189. The cost per mile to construct the Erie Canal seems insignificant when compared to the 1966 cost of accomplishing the simple job of resurfacing a road at \$17,000 per mile. (Omaha World Herald, January 7, 1968, p. 68).

level of government formed a loose knit faction within the Republican party and were

literally contemptuous of the prescriptions of the Constitution and irrepressible in their determination to convert the Federal Government into a paternalistic institution providing a powerful standing army, a great navy, a new Bank of the United States, government built roads and canals and protective tariffs.²¹

This same group of political leaders subscribed to the thesis of earlier days in which the protection of property and the privilege to vote should be reserved for the upper class and moneyed interests of the nation.²² An early leader of this group in the House was Calhoun who "foresaw a national state in which commerce, navigation, agriculture, and manufacturing would be mutually, indeed serenely, dependent."²³

These ideas were also expounded in the House by Clay, whom John Randolph described as

A bold leader of a new school of politicians, sprung up out of the ruins of the old Hamiltonian dynasty, who by interpolation or construction made the Constitution mean anything and everything their ardent minds chose to aspire to.²⁴

²¹Wilfred E. Binkley, American Political Parties (3d ed., New York: Alfred A. Knopf, 1958), p. 94.

²²Annals of Congress, 14th Cong., 1st Sess., 1329-1336.

²³Ibid.

²⁴Hugh A. Garland, The Life of John Randolph (13th ed., New York: Appleton and Company, 1866), p. 202. After Calhoun became Secretary of War for Monroe, Clay became the acknowledged leader of this group. While Secretary, however, Calhoun continued vigorous support of the movement on the basis of national defense needs.

These men chose to disregard the statements uttered by Madison, just before the end of his second term, that no power existed in the Constitution for such projects.²⁵ They were certain that the time was ripe to inaugurate a vast system of internal improvements by disregarding the question of constitutionality of using public funds. Madison was sympathetic towards a national program of internal improvements; however, he rebuffed the attempt to bypass the issue of constitutionality in 1817 when Calhoun's "Bonus Bill" was passed by Congress and presented for his signature.²⁶

That Madison vetoed the "Bonus Bill" should not have come as a surprise for as early as 1815, in his message to Congress, he reiterated Jefferson's request of 1808 for a constitutional amendment to provide Congress with the power to accomplish internal improvements.²⁷ In his annual message to Congress in 1815, Madison suggested that the Constitution be amended to permit the Federal Government to establish a system of canals and roads for better communication between eastern and western areas. He felt that

²⁵Richardson, op. cit., II, 552-553.

²⁶Arthur M. Schlesinger, Jr., The Age of Jackson (Boston: Little Brown and Company, 1950), p. 53. This bill had been developed by Calhoun in 1816 and would have set aside Bank of the United States dividends and bonuses as a permanent fund for construction of needed internal improvements.

²⁷Richardson, op. cit., 552-553.

Section Eight of the First Article of the Constitution, as written, did not vest such powers in the Congress.²⁸ As shown in the message, he did not object to federal financing of roads and canals if there was no question regarding the legality of the expenditures. When he delivered the message Madison stated:

Whilest the States individually, with a laudable enterprise . . . avail themselves of their local advantages by new roads, by navigable canals, and by improving the streams susceptible to navigation, the General Government is the more urged to similar undertakings, requiring a national jurisdiction and national means, by the prospect of thus systematically completing so inestemable a work; and it is a happy reflection that any defect of constitutional authority which may be encountered can be supplied in a mode which the constitution itself has providently pointed out.²⁹

A similar line of reasoning had been expressed by Jefferson who had no objections to expending the monies needed to pursue the grand plan of internal improvements laid out by Gallatin in 1808, providing Congress had an undisputed right to do so.³⁰ This position was a shift back towards a more strict interpretation of the Constitution.³¹ While preparing his 1808 message to Congress, Jefferson may have recalled Alexander Hamilton's opinion expressed in 1799 that

²⁸Ibid.

²⁹Ibid.

³⁰Richardson, op. cit., I, 379. In 1806 Jefferson had urged Congress to retain the tariff to defray governmental expenses and to use any surplus for internal improvements and public education.

³¹Ibid., 397.

An article ought to be proposed to be added to the Constitution for empowering Congress to open canals in all cases to which it may be necessary to conduct them thro' two or more states or through the territory of a State and of the United States.³²

The position John Quincy Adams took in 1807 regarding federal expenditures for needed improvements may also have influenced Madison. While debating a bill introduced by Clay for government aid to construct a canal around the Falls of the Ohio, Adams vehemently opposed the measure. He saw "fraud and collusion in the making and pointed to the obvious combination of senators from states requesting this and other future favors."³³ Adams voted against federal aid on four other occasions before he became a supporter of this popular movement.³⁴

The foregoing factors were no doubt carefully considered by Madison before he decided to veto the "Bonus Bill." His decision was also based on a feeling that if the Constitution was ignored it would open the door to a vast program of internal improvements by first providing money and later examining the constitutionality of the matter. On this point, his fear was probably based on Clay's view that if it was determined that Congress did not have the power, that the

³²Elizabeth West, Calender of The Papers of Martin Van Buren, (Washington: Government Printing Office, 1910), p. 12.

³³Annals of Congress, 9th Cong., 2nd Sess., 33-35 56-60, 80-87.

³⁴Annals of Congress, 8th Cong., 1st Sess., 273, 281; 2nd Sess., 37; 9th Cong., 2nd Sess., 95-96.

Constitution "would be so amended as to confer it."³⁵ Webster was shifting from sectionalism to nationalism about this time and was one of five members of the House from New England to vote for the "Bonus Bill."³⁶ The bill passed the House by a vote of eighty-six to eighty-four³⁷ and the Senate by a vote of twenty to fifteen.³⁸

During the debate in the House, Congressman Erastus Root of New York opposed the bill because he felt it was unconstitutional and would lead to much "intrigue, scrambling and bargaining. . . ." ³⁹ Another reason advanced for opposing the bill was his feeling that states that had chartered turnpike companies and invested heavily in roads would be penalized while southern and western states that had done little in this regard would benefit.⁴⁰

An attempt was made to override the veto but sufficient support could not be generated, thus the proponents of federal financing suffered a major setback. The supporters of this popular movement, nevertheless, continued their efforts to secure government aid and disregarded Senator

³⁵Annals of Congress, 14th Cong., 2nd Sess., 867.

³⁶Ibid., 934. This support for federal aid from a section of the nation that normally opposed such measures was a significant shift in political alignment.

³⁷Ibid., 1934.

³⁸Ibid., 191.

³⁹Ibid., 861.

⁴⁰Ibid., 860-861.

James Barbour of Virginia when he offered an amendment to provide the needed power, after Madison's veto message.⁴¹

When Monroe became President, it was apparent that the internal improvement forces were determined to ignore his predecessor's veto and pass more federal aid bills. Consequently in his first inaugural address, Monroe stated his position on this important question of constitutionality when he said:

Other interests of high importance will claim attention, among which the improvement of our country by roads and canals, proceeding always with a constitutional sanction, holds a distinguished place.⁴²

Monroe addressed the question more directly, in his first annual message, when he urged Congress to amend the Constitution to provide the power to construct roads and canals. It was Monroe's firm "conviction . . . that Congress do not possess the right."⁴³ As he said;

A difference of opinion has existed from the first formation of our Constitution to the present time among our most enlightened and virtuous citizens respecting the right of Congress to establish such a system of improvement.⁴⁴

Monroe's scruples regarding the need for an amendment temporarily retarded the efforts of the leaders of the

⁴¹Annals of Congress, 15th Cong., 1st Sess., 21-24.

⁴²Richardson, op. cit., II, 577.

⁴³Ibid., 587.

⁴⁴Ibid.

internal improvement forces. At this time Van Buren was little concerned with the problem of expending federal funds for a system of internal improvements. However, by his support of the construction of the Erie Canal, he demonstrated his understanding of the necessity to establish better lines of communication and commerce. It appears that he also understood the necessity for sound fiscal policies to accomplish such projects. Thus, experience gained at the state level of government, regarding internal improvements, prepared him for subsequent debates and discussions on this question.

CHAPTER III

FRIEND OF INTERNAL IMPROVEMENTS

When Van Buren assumed his new position as a United States Senator, the country was just beginning to emerge from the financial distress caused by the depression of 1819. Much of his time was devoted to learning his new duties and responsibilities. He was assigned to the Finance Committee and the Judiciary Committee. He soon became chairman of the latter committee in recognition of his status as an accomplished and highly respected member of the New York Bar.¹

The question of federal support of internal improvement projects had never been fully resolved by Congress even though the subject had been discussed and debated at great length, almost from the inception of the Federal Government system. Much opposition existed to public works conducted by the Federal Government and funds had been denied to many road and canal schemes prior to 1821. Van Buren's first involvement, at the national level, regarding internal improvements occurred in December, 1821 when a friend and political

¹Dennis Tilden Lynch, An Epoch and A Man (New York: Horace Liveright, [c. 1929]), p. 229.

ally from Albany, State Senator Charles Dudley, wrote regarding the possibility of securing federal assistance "for the completion of the Erie and Champlain Canals. . . ."2

Dudley's letter requested \$1,500,000 during the next three years to help finance these projects. In the letter he expressed a feeling of optimism regarding such help, when he said

There is no need of telling you of the value that such assistance will be to the People of this State, for I know your opinion is, that the burthen is yet for Internal Improvements, and but for your speech in the Senate in 1816, the Canal operations would probably not now have been commenced, I can freely appeal to your Public spirit on this occasion, without appearing to be enthusiastic.3

While there is no record of a reply to Dudley's letter and no legislation initiated to secure such aid, the letter does indicate that Van Buren was recognized as a friend of internal improvements at that time.

While familiarizing himself with the way of national politics, Van Buren did not actually participate in many early senatorial debates. In 1822, when a bill providing \$9000 for the maintenance of the Cumberland Road and for construction of tollhouses was debated,4 Van Buren speaking later on the bill said

²Charles Dudley to Martin Van Buren, December 23, 1821, Van Buren Papers.

³Ibid.

⁴Annals of Congress, 17th Cong., 1st Sess., 439.

The patience of Congress having been exhausted by the perpetual drain upon the Treasury for the repairs of the Cumberland Road, the House of Representatives passed a Bill authorizing the erection of gates upon it and the exaction of tolls from those who used it--the avails to be applied to keeping the Road in good condition.⁵

The erection of tollhouses was vigorously protested by many opponents of the Cumberland Road, including the Niles Weekly Register which normally supported internal improvement proposals.⁶

Commenting later on his vote supporting the bill, Van Buren stated

The Bill came up soon after I had taken my seat in the Senate and I voted for it rather on the ground of its paternity and the subsequent acquiescence in it, than from an examination of the subject.⁷

There seems to be little doubt that the freshman senator was influenced by Clay, Calhoun and other supporters who took the lead in advocating passage of the Cumberland Road Bill. That the new senator held these men in high regard, when he entered the Senate, can be seen in his writings.⁸

⁵Van Buren, Autobiography, 302.

⁶Niles Weekly Register, March 5, 1820, 57.

⁷Van Buren, Autobiography, 117. Van Buren was referring to the approval of funds for the construction of the Cumberland Road by Congress and by Jefferson, Madison, and Monroe since 1806.

⁸Ibid., 116, 297, 670-671. While serving as a state senator Van Buren had heeded the pleas of Clay, Calhoun, and other "War Hawks" to support the war effort. As a result of Van Buren's efforts the State of New York voted men and money for this purpose despite the firm opposition of the New York

Consequently he followed their lead on the seemingly logical request for money for the upkeep of this national project. At this time Van Buren had not fully studied the implications and ramifications of federal financing; however, he was aware that proponents of federal financing were attracting much attention and support.⁹

The bill passed both houses of Congress as a result of the popularity of the Cumberland Road and a lack of organized opposition. When the bill was presented to Monroe for his approval, he promptly vetoed the measure because to him it implied that the government possessed the power of sovereignty and jurisdiction over the road and because it attempted to collect tolls on a road constructed with public funds.¹⁰ Monroe said he could find no such power in the Constitution and harkened back to Madison's and Jefferson's views that the power was not included in the Constitution. Like both predecessors he was not opposed to federal financing providing there was a clear-cut right to do so.¹¹

The proponents of the bill, however, claimed that this power was provided in the following places in the Constitution:

Federalists and other opponents of the Adams Administration. William Emmons, Biography of Martin Van Buren: President of the United States (Washington: Jacob Gideon Jr., 1835), pp. 45-61.

⁹Van Buren, Autobiography, 671.

¹⁰Annals of Congress, 17th Cong., 1st Sess., II, 1803-1864.

¹¹Richardson, op. cit., II, 587; I, 444.

First, from the right to establish post-offices and post-roads; second, from the right to declare war; third, to regulate commerce; fourth, to pay the debts and provide for the common defense and general welfare; fifth, from the power to make all laws necessary and proper for carrying into execution all the powers vested by the Constitution in the Government . . . ; sixth, and lastly, from the power to dispose of and make all needful rules and regulations respecting the territory and other property of the United States.¹²

Because Monroe did not agree that this power existed, he was adamant that an amendment was needed and insisted that now was an opportune time to enact such a measure.

Along with his veto message Monroe sent a forty page message to the House outlining his views on the entire subject of federal financing. In this message he stated that in his opinion

Congress . . . had an unlimited power to raise money and that in its appropriations they have a discretionary power, restricted only by the duty to appropriate it to the purposes of common defense and of general not local, national, not state benefit.¹³

Monroe again recommended that a constitutional amendment be enacted to provide Congress with the power to "adopt and execute a system of internal improvements. . . ." ¹⁴ He helped set the stage for Congress to ignore his plea, however, when he said Congress had "the right to keep the road in

¹² Ibid., II, 711-712.

¹³ Ibid., 713-752.

¹⁴ Ibid., 759-760.

repair by providing for the superintendence of it and appropriating the money necessary for repairs."¹⁵

This acknowledgement of the power but not the jurisdiction was the first significant change in his position on this important question. In the House leaders of the bill tried to use the President's message to secure sufficient votes to override his veto but failed by a vote of sixty-eight to seventy-two.¹⁶ This defeat in part was due to the fact that the Cumberland Road Bill, as passed, was considered by opponents of the bill as an extension of the encroachment on the rights of a state already in progress by the Federal Government.¹⁷

In his next message to Congress, Monroe reflected on the poor state of repair and need for immediate maintenance work on the Cumberland Road. In the message he admitted the road was invaluable to East-West travel and communications and that vast sums of money had been spent on its construction to date. The value of the road to the Post-Office and War Department was also reviewed as well as the fact that the road was "an ornament and an honor to the nation."¹⁸ He again urged that an amendment be passed to provide the necessary power but also stated that

¹⁵ Ibid., 760.

¹⁶ Annals of Congress, 17th Cong., 1st Sess., II, 1872-1875.

¹⁷ Ibid., 1855-1859.

¹⁸ Richardson, op. cit., 759.

Should Congress, however, deem it improper to recommend such an amendment, they have according to my judgment, the right to keep the road in repair by providing for the superintendence of it and appropriating the money necessary for repairs.¹⁹

While Monroe made it easy for Congress to ignore his plea for an amendment on this unsettled question, Congressman Robert Reed of Georgia proposed an amendment to the Constitution that simply stated: "Congress shall have power to establish and construct roads and canals."²⁰ No action was taken when Reed's proposal was tabled and work was begun on a new Cumberland Road Bill.²¹

The estimated cost of repairs had now reached \$25,000 because of the lack of repairs during the preceding year and the steady deterioration caused by the elements.²² The backers of the bill were careful to word the bill so that it would fit Monroe's new view on the power of Congress to appropriate money for maintenance work and no mention was made of tollhouses. Van Buren again supported the bill because \$1,800,000 of public funds had been spent to construct and maintain the road and he felt the money would have been

¹⁹James D. Richardson (ed.), Messages and Papers of the Presidents (Washington: Government Printing Office, 1896), II, p. 191. (This is the only reference used from this series.)

²⁰Annals of Congress, 17th Cong., 2d Sess., 627. Reed believed Congress had the power but wished to stop the endless debates on this matter.

²¹Senator Samuel Smith of Maryland also proposed an amendment on the same lines advocated by Reed, but no action resulted. Ibid., 200, 227, 290.

²²Ibid., 90.

wasted if the road were not kept in passable condition.²³

No doubt he was also influenced by the number of connecting roads that had been constructed at state and county expense along the route and felt their investment should be protected. Monroe's statement that Congress had the needed power to keep the road in repair must also have influenced his vote. Little Congressional opposition was expressed; thus, after passing the Senate by a vote of twenty-six to nine and by seventy-four to forty-five in the House, Monroe immediately signed the bill.²⁴

Because of the controversy that had arisen during the debates on the Cumberland Road, with the main point of discussion hinging on the question of the constitutionality or lack of constitutionality, Van Buren became concerned about the legality of expending federal monies for internal improvements. Prior to making his first speech on the question of the legality of such expenditures, Van Buren thoroughly researched the problem. In his notes, written for a speech delivered January 22, 1824, he examined Madison's and Monroe's constitutional objections to federal financing as well as the basis for Madison's attitude on Calhoun's Bank Bill.²⁵ According to his notes, it was Van Buren's opinion that

²³Annals of Congress, 17th Cong., 2d Sess., 89-92.

²⁴Ibid., 1077.

²⁵Van Buren Papers, January, 1824.

unless the constitutional question was clearly defined "it would not be long in the power of those who were faithful to the principles of the Constitution to arrest or even to check the torrent of reckless legislation which had set in so powerfully. . . ."26

After analyzing the question, Van Buren introduced a joint resolution in January, 1824, proposing an amendment, similar to the one made by Reed, regarding "the power of Congress to make roads and canals."27 Before presenting the amendment, he stated that it was his intention "to make that lawful which was then illicit and to protect the public interest against abuses by wholesome constitutional restraints. . . ."28 In his speech Van Buren commented upon the diversity of opinion on the location in the Constitution of the power that permitted Congress to make roads and canals. Like Monroe in 1823, Van Buren said he could not discover the source of power claimed by the friends of federal financing. He reminded the members that the question of constitutionality "had been one of constant and earnest discussion."29 Van Buren felt there was "but little reason to hope that, without some Constitutional provision, the question . . . [would never] be settled."30 He hoped to clarify the question that

²⁶Van Buren, Autobiography, 315.

²⁷Ibid., 316.

²⁸Ibid.

²⁹Ibid. Van Buren was referring to Monroe's veto of the Cumberland Road Bill in 1823.

³⁰Ibid.

had been extensively debated during the past eighteen years when he introduced the resolution. As he pointed out, "all candid men will admit that there are few questions more unsettled."³¹

It was obvious that he was not then a firm opponent of federal financing for he said, "if the General Government has not now the power . . . he for one thought that, under suitable restrictions, they ought to have it."³² It was his hope that by amending the Constitution, the forces that considered the power already existed would co-operate with those who did not so believe and get the matter settled.

As a result of his legal training Van Buren was troubled that the Federal Government might exercise a doubtful right "against the persevering opposition of the several States. . . ."³³ His resolution stated that:

Congress shall have power to make roads and canals; but all money appropriated for this purpose, shall be apportioned among the several States according to the last enumeration of their respective numbers, and applied to the making and repairing of roads and canals within the several States, as Congress may direct; but any State may consent to the appropriation by Congress of its quota of such appropriation in the making or repairing of roads and canals, without its own limits; no such road or canal shall, however, be made within any State, without the consent of the Legislature thereof, and all such money shall be so expended under their direction.³⁴

³¹Annals of Congress, 18th Cong., 1st Sess., I, 134.

³²Ibid., 135.

³³Ibid.

³⁴Ibid., 136.

The resolution survived a first and second reading but the matter was subsequently tabled.

While the Senate was debating the matter, it was also the subject of much discussion in the House. There debate was not on the proposed amendment but rather on the whole question of constitutionality. Andrew Stevenson of Virginia felt that internal improvements were of local rather than of national interest and could best be accomplished by the several states.³⁵ He was quite concerned that millions of dollars would be disbursed on various schemes and that the money would not be disbursed equally among the states.

During the debate Stevenson said:

Does not every impartial mind see that the resources of the nation, derived from all, would be used for local rather than national objects; and that favorite portions of the Union would receive the benefits, whilst other parts could not participate?³⁶

These sentiments were quite similar to those used by Adams in 1807 when he spoke in opposition to the Falls of the Ohio Bill.³⁷ Stevenson concluded his remarks with the statement that Virginia

Has maintained too long her worship at the altar of the Constitution, pure and undefiled, to be seduced from her allegiance by golden consideration,

³⁵Ibid., 1264. These sentiments were also echoed by John Taylor who had witnessed the loose supervision exercised by the Federal Government during the construction of the Cumberland Road as well as public buildings in the capital. Norman K. Risjord, The Old Republicans (New York: Columbia University Press, 1965), p. 243.

³⁶Annals of Congress, 18th Cong., 1st Sess., I, 1265.

³⁷Annals of Congress, 9th Cong., 2nd Sess., 95-96.

or alarmed by mistaken apprehension of disunion
or disaffection.³⁸

Friends of federal financing often spoke of the great advantages to be secured by constructing roads and canals, but Stevenson said he felt it "would be the apple of discord and disunion."³⁹ He recommended that the House defer consideration on any such bill until the Senate had acted.⁴⁰

Stevenson's speech reflected his deep-felt conviction, shared by Van Buren, that it was highly undesirable for the government to attempt any works which were doubtful in any way. He in particular referred back to a speech in 1811 by Vice President George Clinton when he cast the vote that rejected the bill to recharter the Bank of the United States. Clinton said in part

"In the course of a long life, I have found that Government is not to be strengthened by an assumption of doubtful powers, but by a wise and energetic execution of those which are incontestible; the former never fails to produce suspicion and distrust, whilst the later inspires respect and confidence."⁴¹

Before Stevenson concluded his speech he showed the real fears of many opponents, to be the ability of Congress to convert and change the meaning of the Constitution and make it "a nose of wax. . . . [to] compress or enlarge it as occasion or necessity may seem to require."⁴² This went

³⁸ Annals of Congress, 18th Cong., 1st Sess., 1265.
Stevenson was a strong advocate of states rights and had served in the Virginia House of Delegates in 1816 when the bill to accomplish needed internal improvements was approved.

³⁹ Ibid.

⁴¹ Ibid., 1267.

⁴⁰ Ibid., 1266.

⁴² Ibid., 1281.

hand-in-hand with their concern that if the general government were given

The power to adopt and execute a great national scheme of internal improvements, and the unlimited right to appropriate money . . . it would be worse than folly to suppose that any limit can be imposed on it but by legislative discretion and pleasure.⁴³

His final words dealt with the fact that if a precedent were established, later Congresses would keep expanding their powers step by step until they had absolute and unlimited powers. Another grave concern to these defenders of the Constitution and advocates of states rights, including Van Buren, centered around the proposition that the power of the purse and sword had been given to the central government and now more power was to be lost. They considered that if the forces attempting to loosely interpret the Constitution succeeded, everything else would necessarily be surrendered too and consolidated in an all-powerful central government.⁴⁴

Van Buren's amendment suffered a fate similar to Reed's and the question of legality was again ignored when a general survey bill was submitted and Van Buren's request was tabled. Clay sponsored this bill which put strong pressure on Congress to do something for the interior portion

⁴³ Ibid.

⁴⁴ Garland, op. cit., p. 202.

of the country because, as he pointed out, prior appropriations generally aided foreign commerce while domestic commerce in the new western states received little aid.⁴⁵

This stand was strongly opposed by John Randolph of Virginia in a lengthy speech, but the bill was carried in both Houses and signed by Monroe.⁴⁶

On an earlier survey bill, Van Buren cast his third vote supporting federal expenditures. This bill authorized the Corps of Engineers to conduct a survey of routes for canals and roads in Florida.⁴⁷ The bill also provided \$20,000 for construction of 300 miles of roads in Florida from St. Augustine westward to Pensacola.⁴⁸ His position on this bill was probably influenced by Senator Andrew Jackson who said, "this road was of great importance, from two considerations--the first, as it related to defense, and the second, in regard to the future population of that part of the country."⁴⁹

The following month, however, Van Buren expressed his first opposition to federal financing during a debate on a bill that would have permitted the State of Alabama to collect tolls on goods transported on her navigable rivers. In the debate he pointed out that a condition to her

⁴⁵Ibid.

⁴⁶Annals of Congress, 18th Cong., 1st Sess., I; 1296-1311. Van Buren voted against this bill.

⁴⁷Ibid., 291-294.

⁴⁸Ibid.

⁴⁹Ibid., 294.

acceptance into the Union was an ordinance passed by the state that declared "the then navigable waters within her territories should be forever free from toll or exaction to her citizens, and to the citizens of the other states."⁵⁰ He again opposed federal aid when he cast five negative votes during debates on a general survey bill for roads and canals.⁵¹ This change in attitude is also reflected by his vote in May, 1824, against a bill for a \$500,000 appropriation to construct a canal from Albermarle Sound to the Atlantic Ocean and for removing an obstruction from a channel connecting the Albermarle Sound with Pamlico Sound.⁵²

During the next session of Congress, Van Buren spoke in favor of a bill sponsored by Senator Benton of Missouri to appropriate \$30,000 to mark a road from Missouri to Mexico through Indian territory.⁵³ After lengthy discussions on amendments to the bill, it was finally passed by Congress and immediately signed by Monroe. In its final form, the sum of \$10,000 was provided for marking out the road and an additional \$20,000 "to defray expenses of treating with the Indians. . . ."⁵⁴ This was the final affirmative vote cast by Van Buren for internal improvements. Rather than one or two votes for these bills, as shown by some historians,

⁵⁰Ibid., 340.

⁵¹Ibid., 565-566, 567-569.

⁵²Ibid., 765.

⁵³Register of Debates, 18th Cong., 2d Sess., I, 357.

⁵⁴Public Statutes, op. cit., 101.

or none, as reflected in Marquis James,⁵⁵ Van Buren cast four affirmative votes during his service in the Senate.

Confusion on the number of times he supported federal financing can be traced back to an erroneous statement made by Van Buren regarding his voting record. Referring to his record, he stated:

My name will be found recorded against all the Bills which the General voted for and I believe against every similar proposition subsequent to the act to erect toll-gates on the Cumberland Road.⁵⁶

⁵⁵Marquis James, Andrew Jackson, Portrait of a President (Indianapolis: The Bobbs-Merrill Company, [c. 1937]), pp. 220-221.

⁵⁶Van Buren, Autobiography, 315.

CHAPTER IV.

VAN BUREN BECOMES AN OPPONENT OF FEDERAL FINANCING OF INTERNAL IMPROVEMENTS

The question of the legality of federal financing of internal improvements was circumvented during the final legislative session of Monroe's Administration by the purchase of stock in private corporations or companies engaged in constructing roads and canals. The basis for this action was Monroe's acknowledgement that Congress had the right to appropriate public money.¹ This practice was vigorously deplored by Senator Samuel Smith of Maryland during a debate on the purchase of 1500 shares of stock in the Chesapeake and Delaware Canal Company.² Later in the course of discussions and debate on the bill a feeling of despair and gloom was expressed by Senator Nathaniel Macon of North Carolina concerning this trend toward federal involvement in financing internal improvements. While speaking in opposition to the bill, Macon recognized the growing strength and popularity of those who supported federal financing when he said he wished to

¹Register of Debates, 18th Cong., 2d Sess., I, 681.

²Ibid.

bid farewell to an "old friend that he had always admired and loved--he meant the Constitution of the United States."³ In the speech he stated his fear that, if such schemes as the purchase of stock were approved, the public debt would never be eliminated. It seemed to Macon that the Federal Government was "following England step by step, and the final result would be, they would cease to look up to the debt itself but think only of the interest."⁴ Van Buren agreed with Macon and voted against the stock purchase; however, the bill passed the Senate by a vote of twenty-four to eighteen.⁵

As a result of the discord apparent whenever the question of federal financing was discussed in Congress and the increasing number of memorials and petitions for aid, Van Buren, as chairman of the Judiciary Committee, became more and more concerned about the legality of these appropriations. Another cause for concern was the mounting cost of these projects which were well known to Van Buren because he was a member of the Finance Committee. Then too, the scramble for money and resulting log-rolling was getting to be the talk of Congress.⁶

³Ibid., 679.

⁴Ibid., 680.

⁵Ibid.

⁶James, op. cit., p. 220.

Reflecting on the popular support in Congress, he said "in a large majority of cases the interests of parties and those whose public fortunes they desire to advance are consulted before those of the Country."⁷ Van Buren was referring to the many surveys being conducted throughout the country at federal expense, most of which appeared to be of local rather than of national benefit. He stated that the proponents of federal assistance became so alarmed at the flagrant abuses of these surveys that they recommended "that the law should be so altered as to make a specific Act of Congress necessary in each case."⁸ No action was taken, however, as more and more requests for federal assistance were initiated by members of Congress.

The volume and magnitude of these requests alarmed Van Buren and caused him to study the question of constitutionality in greater depth than before. There is little doubt that he was well aware of the rising popularity of this movement. Nevertheless, he was determined to try and stem these raids on the Treasury. It seems reasonable to assume that Van Buren's change in attitude could be attributed in part to a trip he made to Monticello to visit Thomas Jefferson during the winter of 1824. While at Monticello the question of

⁷ Van Buren, Autobiography, 309.

⁸ Ibid., 310.

internal improvements was discussed in detail, and Jefferson congratulated Van Buren for his recent attempt to amend the Constitution. Jefferson expressed the opinion that such works undertaken by the Federal Government were a waste of "the public revenues, without the probability of adequate returns, and involving violations of the Constitution injurious to the interests it professed to advance. . . ."⁹ The opinions stated by Jefferson, no doubt, strengthened Van Buren's determination to make another attempt to amend the Constitution. Upon his return to Washington he devoted considerable efforts to the task of preparing a new constitutional amendment.

After weighing all the evidence and ramifications of a change in position from one of swimming with the crowd to one of firm opposition,¹⁰ he announced his intention to oppose federal financing of internal improvements as the Constitution was written.¹¹ At the time he stated his opposition, he also presented a second request for an amendment to provide the necessary power to Congress.

⁹Ibid., 185.

¹⁰This was a major shift in position and could have had an adverse effect on his political career; but as one historian said, throughout his life Van Buren was not reluctant "to make courageous decisions hazardous to his career and abide by them." Frederick Jackson Turner, The United States: 1830-1850 (New York: Henry Holt and Company, 1935), p. 118.

¹¹Register of Debates, 19th Cong., 1st Sess., II, 20.

In a speech to the Senate in December, 1825, he reminded his fellow legislators of the words of Jefferson, Madison, and Monroe regarding the need for a constitutional amendment. He said he was firmly convinced that there were no specific provisions to permit such expenditures, despite all the claims by the supporters of federal financing. Van Buren again alluded to the undisputed truth that, "from the first agitation of the subject, the constitutional power of Congress to legislate upon the subject had been a source of unbroken, and, frequently, angry and unpleasant controversy."¹² To Van Buren there was no question that internal improvements played a vital role in the prosperity, development, and general well-being of the nation. Because of the importance of the question he said he only wanted to insure that if the Federal Government embarked on a vast scheme of improvements, that it did so legally.¹³ For this reason, he urged an amendment be proposed immediately providing Congress with the necessary powers. Van Buren pointed out that

It appeared . . . that not only every interest connected with the subject, but the credit, if not safety, of our enviable political institutions, required that course. . . .¹⁴

¹²Van Buren, Autobiography, 318.

¹³Ibid.

¹⁴Ibid.

Further on in his speech, he proposed

That a select committee be appointed . . . to prepare and report on a Joint Resolution, for an amendment of the Constitution, prescribing and defining the power Congress shall have over the subject of Internal Improvements, and subjecting the same to such restrictions as shall effectively protect the sovereignty of the respective States, and secure to them just distribution of the benefits resulting from all appropriations made for that purpose.¹⁵

He received some support in the House from Congressman John Bailey of Massachusetts who asked the House to provide the constitutional power in question and thus end the continual bickering.¹⁶

A feeling of optimism was expressed by some opponents of federal financing regarding the success of these attempts to amend the Constitution and the "drooping spirits of many State-rights men were revived."¹⁷ Van Buren, however, did not share their enthusiasm. In a letter to Benjamin F. Butler he expressed little optimism and also stated his concern about the lack of interest in the question of federal financing in New York. Van Buren wrote in part:

It is strange that our people are so indifferent upon this subject. There is no State in the Union that has a vital interest in it as ours; growing out of our past expenditures and liability

¹⁵Ibid., 317.

¹⁶Ibid., 801-802.

¹⁷Ibid., 319. These hopes were soon dashed when the request for an amendment was tabled.

to future contributions for like works in New States.¹⁸

It was apparent that this lack of concern in his native state troubled Van Buren and showed that his interest in New York's rising commercial supremacy was very acute.

As predicted by Van Buren, no positive moves were taken in either House of Congress as new petitions for pet projects were submitted in both branches of Congress. While Congress took no action, Van Buren was now firmly opposed to all requests for federal financing of internal improvements without an amendment to the Constitution. By April, 1826, he was "the most prominent anti-administration man in the Senate, and for the remainder of the session he sparked almost every debate which would embarrass the President and the Secretary of State."¹⁹

When the legislative session adjourned, Van Buren returned to his native state to take stock of the political situation and formulate his plans. Future success in the complex and highly volatile world of national politics demanded a sound and continuing evaluation of events. His problems as an opposition leader were both compounded and strengthened by his determination to build a strong

¹⁸ Martin Van Buren to Benjamin F. Butler, December 5, 1825, Van Buren Papers.

¹⁹ Robert V. Remini, Martin Van Buren and the Making of the Democratic Party (2d ed., New York: Columbia University Press, [c. 1959/]), p. 115.

Democratic wing in the Republican party dedicated to Jeffersonian ideals. Again, as at the state level, he was to achieve success as a manager of issues and people by closely following and carefully attending to details.²⁰

Van Buren was not interested in winning battles, but rather the end result of his unrelenting campaign, the defeat of the administration goals, an end to federal financing of internal improvements, and development of a strong party. One step he wanted to take in regard to developing a strong party was the establishment of a party newspaper to accomplish in Washington what the Argus had done in Albany. Calhoun opposed this move but Van Buren, with support from other anti-administration men, pressed ahead with this part of his plan.²¹ Calhoun disagreed with the stated need for a strong opposition party paper but in a letter to Van Buren agreed that it was necessary to re-establish the party on strong "republican grounds and republican principles."²²

With his plans developed, Van Buren returned to Washington when Congress convened. Despite his unrelenting opposition, a number of improvement bills were passed by Congress

²⁰Koenig, op. cit., p. 5.

²¹Ibid., pp. 118-119.

²²Van Buren, Autobiography, 514-515.

and approved by Adams that further committed the government to greater expenditures of public resources. While leading the attack against administration programs, Van Buren pursued his plan to reorganize the party. After two years of skillful maneuvering and manipulation, he succeeded in forming a strong democratic wing dedicated to Jeffersonian ideals. The basic organization was made up of the followers of Calhoun, Jackson, William H. Crawford, and the Van Buren liberals of the North.²³ In the process he

Forced a stronger states' rights doctrine into the party platform, insisted that the activity of the Federal government be reduced, and, in short, demanded that the Jacksonians become doctrinaire Jeffersonians.²⁴

There were many forces working to his advantage during Adams' Administration. These forces feared government consolidation which might favor the financial and aristocratic members of society and were highly suspicious of its power and influence on the lives of individuals.²⁵ These fears were later strengthened when the Secretary of the Treasury, Richard Rush (an ardent protectionist), submitted a letter of transmittal with the Report of the State of Finances, 1825 which said in part:

By a flourishing state of the manufacturers . . .
we shall see rising up a new class of capitalists.

²³ Remini, op. cit., p. 125. Crawford, from Georgia, a strong advocate of states' rights, was Van Buren's choice for President during the election of 1824.

²⁴ Ibid.

²⁵ Risjord, op. cit., 258.

rivaling in the extent and usefulness of their operations, and in the amount of their gains, the wealthiest of our merchants. . . .²⁶

When this letter was publicized, it helped strengthen opposition to the administration and revived the old charge that the Adamses had monarchist ideas. The letter seemed to indicate a disposition to consolidate power in a strong central government.²⁷

Such fears had been aroused by Adams in his first message to Congress in which he stated that "the spirit of improvement is abroad upon the earth", and that great strides were being made by foreign nations. It was his feeling that the Creator had bestowed great blessings on the United States and the Federal Government should do all in its power to improve the public welfare.²⁸ This was a clear indication that he was a friend of the federal financing movement and intended to promote these projects. As Van Buren remarked later, "a wild spirit of speculation" seemed to prevail in Congress

And the wits of Congressmen were severely tasked in devising and causing to be surveyed and brought

²⁶ Register of Debates, 19th Cong., 1st Sess., II, Part I, Appendix, 27. During the report he also minimized the importance of agriculture and labor when he said that the nations achieving greatness in the past "were those in which manufacturers had been the most numerous. . . ." (ibid., 28.).

²⁷ Charles Francis Adams (ed.), Memoirs of John Quincy Adams (Philadelphia: J. B. Lippincott and Company, 1875), I, 460-461.

²⁸ Richardson, op. cit., 882.

forward under captivating disguises the thousand local improvements with which they designed to dazzle and seduce their constituents.²⁹

Thus, with Adams' blessing and encouragement, the friends of federal financing of internal improvements increased their "attempts to commit the General Government irretrievably to the promotion and construction of Internal Improvements. . . ." ³⁰

Adams seemed enamored with the prospect of beginning a new era in American life by means of a great system of publicly financed projects. His views on the question of federal aid were strengthened by the report submitted by the House Committee on Roads and Canals early in 1825.³¹ This report called for the immediate start of a comprehensive system of internal improvements in view of the return of prosperity and the existing peaceful world atmosphere.³² Adams felt that because the Federal Government was founded for the benefit of all, it should therefore have the necessary power to do what was needed to promote the general welfare. His earlier view of the internal improvement question, regarding the constitutionality of the use of federal funds, was obscured or forgotten.

Of great help to Adams' plans for internal improvements was Clay's popular "American System" in which sectional

²⁹ Van Buren, Autobiography, 320.

³⁰ Ibid.

³¹ Annals of Congress, 18th Cong., 2d Sess., Appendix, 75-81

³² Niles Weekly Register, June 20, 1825, 95.

interests and desire were handily combined so that each would receive the legislative help needed. This system called for protection of home markets for manufactured goods and products of the farm through protective tariffs. Calhoun had urged a similar plan in 1817 in his "Bonus Bill"; however, Clay had developed it more fully by attempting to tie the major areas into one voting bloc in an effort to create a "great society".

Van Buren's ability to organize the opponents of federal financing of internal improvements into a cohesive unit foretold success for this group.³³ Adams, Clay, Calhoun, and their supporters misread the signs of the time and gradually lost their appeal to many political leaders and to the common man.³⁴ Resistance and antagonism to Adams and his administration stemmed from many sources such as the questions regarding the constitutionality of federal financing, sectional jealousies, infringement on states' rights and fear of further consolidation of power by the Federal Government, size of the public debt and level of taxation, desire for lower taxes and, last but not least, political gain. There were several other significant factors bearing on the opinions formed by legislators and voters such as the

³³The group consisted of Southern Conservatives and laissez-faire liberals of the North. Risjord, op. cit., p. 258.

³⁴George Dangerfield, The Awakening of American Nationalism (New York: Harper and Row, [c. 1965/), p. 236.

development of the railway in England and the advent of steamboat navigation on the inland and coastal waters.³⁵ The combination of these diversely related items caused strong opposition to Adams' plans for expediting federal expenditures for internal improvements. Van Buren capitalized on these factors and continued to build up the power of the Democratic Wing of the Republican party. Strong encouragement to continue his efforts to secure a constitutional amendment was provided by Madison.

In a letter, written in the fall of 1826, Madison applauded Van Buren for his efforts to clarify the question of federal financing of internal improvements. Madison expressed his opinion that the amendment need not be complex or involved and could be written simply that:

Congress may make appropriations of money for roads and canals, to be applied to such purposes by the legislature of the States within their respective limits, the jurisdiction of the States remaining unimpaired.³⁶

After a lengthy exposition on the need for an amendment, Madison said in conclusion that the amendment could be expressed simply "that Congress may make roads and canals with such jurisdiction as the cases may require."³⁷ Further

³⁵Carter Goodrich, Government of American Canals (New York: Columbia University Press, 1960), p. 55.

³⁶James Madison to Martin Van Buren, September 20, 1826, Van Buren Papers.

³⁷Ibid.

encouragement to pursue his attempts to secure an amendment were received from John C. Hamilton, son of Alexander Hamilton, the first Secretary of the Treasury. Young Hamilton also praised Van Buren for his efforts to resolve the problem of the legality of expending public funds for internal improvements.³⁸ Later that month Van Buren received another letter from Hamilton; enclosed was a letter written by his father to Jonathan Dayton in 1799. This letter clearly reflected the elder Hamilton's views on the lack of Congressional authority to expend public funds unless the Constitution was amended.³⁹

³⁸ John C. Hamilton to Martin Van Buren, December 12, 1826, Van Buren Papers.

³⁹ Ibid., December 21, 1826.

CHAPTER V

THE BEGINNING OF THE END

Van Buren resisted all bills for internal improvements during the remainder of his service in the Senate and while he did not prevent passage of many bills, he and his coalition succeeded in slowing down the number of bills passed. On the other hand, the Adams-Clay coalition thwarted Van Buren's attempt to secure a constitutional amendment and so after repeated failures to secure the power needed for federal financing, Van Buren "suspended further efforts of that nature."¹

When his senatorial term ended in 1827, Van Buren was still in full control of New York politics; consequently, the New York legislature re-elected him for another term. In a letter to that body, he accepted the re-election and stated:

It shall be my constant and zealous endeavor, to protect the remaining rights, reserved to the States by the Federal Constitution, to restore those of which they have been divested, by construction, and to promote the interests and honor of our common country.²

¹Van Buren, Autobiography, 319.

²Martin Van Buren to Nathaniel Pitcher, February 13, 1827, Van Buren Papers.

His political fortune was dedicated to the accomplishment of these goals. Van Buren took his position of party leader with great seriousness and determination as was well demonstrated during the presidential campaign of 1828. It became apparent that for the "Regency" to carry New York State for Jackson, it would be necessary for Van Buren to head the state ticket.³

Van Buren therefore resigned his seat in the Senate in favor of one of his lieutenants, Charles Dudley, of Albany.⁴ The Little Magician⁵ campaigned vigorously throughout the state to secure his election as governor and also deliver the majority of New York's electoral votes for Jackson. After the successful campaign, Van Buren was inaugurated as Governor on January 1, 1829, and served ten weeks in that capacity before accepting the post of Secretary of State under Jackson.⁶ According to one biographer, Van Buren

³Lynch, op. cit., p. 319. The "Regency" consisted of a group of highly organized, influential political and business leaders of New York who were close friends and followers of Van Buren (ibid., pp. 117-118).

⁴Ibid., 322-323.

⁵Joseph Nathan Kane, Facts About the Presidents (New York: The H. W. Wilson Company, 1959), p. 279. Van Buren's opponents and detractors called him by such names as "the American Tallyrand, Fox, Kinderhook Fox, Red Fox of Kinderhook, Little Magician, Little Van, Machiavellian Belshazzer and others."

⁶Lynch, op. cit., p. 32. Enos Throop, a strong "Regency" man in western New York State ran on the ticket as Lieutenant Governor and helped deliver the vote. He subsequently became governor as part of the package deal fabricated by the Red Fox.

"in his few weeks . . . accomplished more than most executives who serve their full terms."⁷ He secured passage of legislation

To protect the public and more particularly the laboring classes . . . from losses through bank failure, . . . to prevent as far as possible the use of money at the elections, and . . . to abolish . . . [the existing bank] monopoly.⁸

The legislation on bank failures was called the Safety Fund System⁹, a forerunner of the latter-day Federal Deposit Insurance Corporation.

While Van Buren was Governor of New York, Senator Benton of Missouri prepared an amendment to the Constitution to provide for federal financing of internal improvements. As part of his proposal he included a method to distribute surplus public revenues

For the purpose of diffusing the benefits of internal improvements as fairly as possible among the several States, and in a way that may be acceptable to all. . . .¹⁰

This proposal was never submitted to Congress; nevertheless, it reflected Benton's desire to settle the problem of securing public funds for needed roads and canals.¹¹

After Jackson's inauguration and Van Buren's acceptance of the post of Secretary of State, one of the chief

⁷ Ibid., p. 321.

⁸ Van Buren, Autobiography, 221.

⁹ Ibid.

¹⁰ Thomas Hart Benton to Martin Van Buren, January 29, 1829, Van Buren Papers.

¹¹ Ibid.

administration spokesmen regarding internal improvements was Representative James K. Polk of Tennessee. Polk had little regard for Clay's system because of the foundation upon which it was built--high-priced public lands, high duties on imports, and internal improvements with the latter being like "a sponge which is to suck up the excess revenue."¹² Since this attitude was not universal among Jackson intimates and the requests for federal aid were increasing, the Little Magician sought ways to halt these raids.

Van Buren feared that the national coffers would soon be drained and that nothing could stop the tide of public opinion and expenditure of public monies unless Jackson took a stand against the movement.¹³ He proceeded with caution in this regard because Jackson had consistently voted for appropriations to construct roads while he was in the Senate and in his first message to Congress, Jackson stated a need for federal aid for internal improvements.¹⁴ Therefore Van Buren carefully proceeded to build up a powerful case against federal aid that would be acceptable to his chief at the proper time. No bill worthy of a test came until late in April, 1830.

¹²Register of Debates, 21st Cong., 1st Sess., 698-699.

¹³Van Buren, Autobiography, 338. Van Buren continued his unremitting opposition while Secretary of State, as evidenced by his work regarding the Maysville Road Bill, and later while serving as Vice President.

¹⁴Richardson, op. cit., III, 1014-1015.

The Red Fox selected a bill presented by Congressman Robert Letcher of Kentucky as most appropriate to give Jackson an opportunity to slow down requests for federal financing. Letcher's proposal was called the Maysville Road Bill. It provided for the purchase of \$150,000 in stock by the Federal Government to aid Kentucky in the construction of a road, sixty miles in length, connecting Maysville (Limestone) with Lexington.¹⁵ This road appeared to be local in nature for it commenced and ended in Kentucky and was significant politically because it passed through a district that strongly supported Jackson and Clay.¹⁶ Letcher claimed the road was of national importance and urged passage of the bill based on the premise that it was but a portion of a road extending from Zanesville, Ohio to Florence, Alabama.

There was much debate on this bill for it appeared obvious that the Clay forces behind the bill were determined to force this measure through Congress and thus open up the floodgates of federal funds.¹⁷ By a vote of one hundred and two to eighty-six, the House passed the bill and sent it to the Senate where it seemed certain of passage.¹⁸

¹⁵Register of Debates, 21st Cong., 1st Sess., 820.

¹⁶Van Buren, Autobiography, 320.

¹⁷Register of Debates, 21st Cong., 1st Sess., VI, Part II, 820-822.

¹⁸Ibid., p. 842.

During discussion in the Senate, John Tyler of Virginia denounced the bill because he contended it was unconstitutional, that it usurped power, and would make the several states mere provinces of an all-powerful national government.¹⁹ He was also disturbed by all the talk regarding profits to be made from the road and asked why the State of Kentucky and her citizens did not accomplish this highly profitable scheme.²⁰ The bill was finally passed in May, 1830, over the objection of Tyler and sent to the President.²¹

Prior to Presidential action, one segment of public opinion was expressed by the New York Post as follows:

The Maysville turnpike bill now has passed the Senate, as well as the House, under the name of national improvement. Yet the Maysville turnpike is only a road leading from one Kentucky town to another town in Kentucky.

.
 . . . we shall not wonder if Congress should undertake to regulate the ferry between New York and Brooklyn, or at least build the great bridge over the East river. . . .²²

The editor was of the opinion that the mania for such schemes as the Maysville Road must be curtailed immediately or the nation would be faced with "an immense waste of national resources."²³ The proponents of the Maysville Bill were so

¹⁹Alexander G. Abell, Life of John Tyler, (New York: Harper and Brothers, 1844), pp. 96-98.

²⁰Ibid.

²¹Register of Debates, 21st Cong., 1st Sess., VI, Part I, 435.

²²New York Evening Post for the Country, May 19, 1830.

²³Ibid.

sure that Jackson would approve it that the Argus of Western America (Frankfort) published the following news item:

The bill authorizing a subscription of \$150,000 on the part of the general government, to turn-pike the road from Maysville to Lexington in this state passed the House of Representatives by a vote of 202 to 86. This vote may be considered decisive of the passage of the bill.²⁴

After selecting the Maysville Bill, Van Buren forwarded to the President the brief he had prepared when his efforts to amend the Constitution had been rebuffed.²⁵ Van Buren later claimed that he prepared a brief on the whole question of the lack of constitutionality for federal financing so that "if the mad schemes of that day should ever be revived, those who take part in defeating them . . . [would] perhaps find in the notes useful suggestions."²⁶ Unfortunately this brief has never been found, but Jackson alluded to it in a letter to Van Buren on May 4, 1830.²⁷ In this letter Jackson stated that

As far as I can decipher it I think it one of the most lucid expositions of the Constitution and historical accounts of the departures by Congress from its true principles that I have ever met with.

It furnishes clear views upon the constitutional powers of Congress. The inability of

²⁴Argus of Western America (Frankfort), May 12, 1830.

²⁵Van Buren, Autobiography, 319.

²⁶Ibid.

²⁷Andrew Jackson to Martin Van Buren, May 4, 1830, Van Buren Papers.

Congress in the Constitution to apply funds of the Government to private, not national purposes I never had a doubt of.²⁸

Jackson agreed that this bill would be proper to veto on constitutional grounds, because it was clearly of local interest, and because it was intended by its backers to cause a great loss of support for Jackson in the West if it were denied.²⁹ In the letter Jackson urged Van Buren to visit him at once so that "the constitutional points may be arranged . . . with clearness so that the people may fully understand it."³⁰

The veto message was a masterful discourse on the subject of internal improvements. Jackson pointed to the powers granted to Congress to regulate commerce, defend the country, and conduct foreign affairs but said he failed to find a similar grant of power to construct roads. According to Jackson this lack of clear right and the exercise of a doubtful right could only lead to dissension and disunity and eventually to the destruction of states rights. He also reflected on the loose construction of the Constitution during Jefferson's administration, referring to the purchase of Louisiana and the start of the Cumberland Road.³¹ Jackson pointed to the local nature of the bill:

²⁸Ibid.

²⁹Ibid., 322.

³⁰Ibid.

³¹Richardson, op. cit., 1048.

It has no connection [he said] with any established system of improvement; is exclusively within the limits of a State, starting at a point on the Ohio River and running out 60 miles to an interior town. . . .³²

Another important factor emphasized in the veto was the lack of adequate funds in the Treasury to support such a large scale expenditure. It was Jackson's judgment that if the Federal Government were to embark on such schemes, taxes would have to be increased, the national debt continued, or the tariff retained on such items as "tea, coffee and . . . cocoa. . . ."³³ Appealing for support from the people Jackson also pointed out the fact that if present policies were continued, the public debt would be eliminated in four years and at that time surplus funds could "be beneficially applied to some well-digested system of improvements."³⁴ This line of reasoning coincided with his feeling that the recent election was a mandate to pay the national debt before embarking on any new expenditures.

Another point included in the veto message was the recommendation that a constitutional amendment be enacted to provide Congress with the necessary powers to construct needed internal improvements. Jackson expressed the opinion that

³² Ibid.

³³ Ibid., 1051.

³⁴ Ibid., 1053.

unless an amendment was passed, each Congress would continue to debate the endless question. The on again off again appropriations witnessed in the construction of the Cumberland Road were cited as visible proof of the vagaries of Congress.³⁵

Biographers have not been able to agree regarding the authorship of the Maysville Veto message. Bassett claimed that Van Buren prepared the message.³⁶ Schlesinger was of the opinion that after Van Buren's statements on the Maysville bill, Jackson "willingly accepted Van Buren's argument that the policy of government aid to private corporations should, once and for all, be ended."³⁷ James maintained Jackson roughed out the message after Van Buren had convinced him that this was the right bill to veto and then passed it to his adviser to polish up. James characterized the message as "a work of art, to which Van Buren had given a final form that exhibited little more than a nodding acquaintance with Jackson's original outline."³⁸ Van Buren claimed that "no Cabinet councils were called: not another member of the Cabinet was consulted before his [Jackson's] decision had become irrevocable."³⁹

³⁵Ibid., 1053-1055.

³⁶Ibid.

³⁷Schlesinger, op. cit., p. 58.

³⁸James, op. cit., pp. 220-222.

³⁹Van Buren, Autobiography, 320.

Opposition papers such as the Richmond Whig were certain Van Buren had written the veto message. One editorial stated, "the message is done up in the true Van Buren style, and is a kind of a altopodrida from which each can select something to suit his palate."⁴⁰ Late in June the Richmond Whig editorialized further:

Credulous as the world is, its credulity will hardly believe . . . that the Maysville Message, which treats of and professes to settle principles as venerable as the Constitution itself, was the result of Van Buren's personal intrigues for the Presidency.⁴¹

The Georgia Courier also reflected this feeling in an editorial on the veto and said further that

It is whispered among members of Congress that Mr. Van Buren is the author of the suggestion of the distribution of the surplus revenue, as recommended by the President. . . .⁴²

The editorial also expressed a fear that without some truly national system of internal improvements to be undertaken, "the country will never become improved, and millions of public money will be thrown away." The editorial, however, agreed with Jackson's veto regarding local proposals and urged Congress to consider and approve only roads and canals of national importance.⁴³

⁴⁰ Richmond Whig, June 3, 1830.

⁴¹ Ibid., June 28, 1830.

⁴² Georgia Courier, Augusta, July 12, 1830.

⁴³ Ibid.

Duff Green in the United States Telegraph commented that it was gratifying to see the President veto a bill of local benefit that seemed designed to continue excessive federal expenditures. The editorial appealed for Southern support for it stated:

But to the South, the oppressed and suffering South, it is peculiarly interesting; it is an important point gained towards reducing the Tariff, to what has been termed a judicious one--a tariff protecting one branch of industry without sacrificing others. The internal improvement system will now rest at least for seven years--ESTO perpetus--may it rest forever.⁴⁴

Before Congress adjourned, the Clay forces attempted to override the presidential veto but failed in the House by a vote of ninety-six to ninety.⁴⁵ By this act Jackson effectually slowed down the flood of requests for federal aid and Clay's "American System" received a serious setback. Van Buren had labored diligently and patiently to achieve this long sought goal.

⁴⁴Quoted by Halifax Advocate, Halifax, N. C., June 12, 1830.

⁴⁵Register of Debates, 21st Cong., 1st Sess., IV, Part II, 1147-1148.

CHAPTER VI

AFTERMATH OF MAYSVILLE VETO

Despite the historic veto of the Maysville Road Bill, federal financing did not end entirely until Van Buren's third year as President.¹ Many political leaders who had been prominent backers of Clay's "American System" and internal improvements in general, shied away from direct confrontation with Jackson and Van Buren on major expenditures for this purpose after the veto.

When Jackson's veto of the Maysville bill was upheld it pointed up the fact that there was no "compelling popular pressure on behalf of a national program."² Jackson wanted to see the public debt paid in full and thereafter apply surplus revenues "to some well-digested system of improvement."³ Another factor bearing on his decision was his belief that a debt free republican form of government would have a "salutary influence . . . upon the cause of liberal principles and free government throughout the world!"⁴ Jackson's approach to the question of federal aid was well

¹Public Statutes, V, 303-304.

²Goodrich, op. cit., p. 45.

³Richardson, op. cit., III, 1053.

⁴Ibid.

understood by the people. Their "Hero" had spoken and his message had been carefully and succinctly explained by the powerful Democratic press.

Jackson's veto and the refusal of Congress to override the veto was pleasing to many voters, particularly those in Pennsylvania and New York, as well as those in the South, where such road and canal systems were not needed.⁵ The veto also appealed to the common man who seemed assured that if the public debt was paid, his taxes would naturally be reduced; if the Federal Government continued to appropriate vast sums of money for such projects, his taxes would necessarily be increased.⁶

According to one authority, Jackson's veto "left no room for doubt as to his attitude towards internal improvements. No executive had ever before so freely exercised the power of presidential rejection."⁷ The intense pressure for federal financing of internal improvements was relieved; Jackson, however, subsequently supported a number of bills that were clearly not national in nature.

⁵Van Buren, Autobiography, 326-327.

⁶Koenig, op. cit., p. 113. Professor Remini also stated that, in his opinion, the veto accomplished two objectives; the first was to humble Clay and the second to "slap down what Van Buren called the Internal Improvements Party. . . ." Robert V. Remini, Andrew Jackson (New York: Twayne Publishers, Inc., [c. 1966/], p. 127.

⁷Claude G. Bowers, Party Battles of the Jackson Period, (Chautauqua: The Chautauqua Press, 1922), p. 171.

This legislative triumph did much to enhance the Little Magician's political future, for at that time Clay was the main contender for presidential succession.⁸ Calhoun, reflecting on Van Buren's rising popularity, stated that

The legislative program for which Van Buren had of necessity to stand was selectively simple. He was against internal improvements at Federal expense and he was against recharter of the Bank of the United States. . . .⁹

As a result of the Maysville veto, the Clay, Calhoun, Adams, and Webster forces did their utmost to defeat the Old Hero and the Red Fox during the presidential campaign of 1832. Jackson's opponents could not prevail against this combination, for Jackson still commanded the minds and hearts of the masses and the Democrats were returned to power.

While campaigning Van Buren wrote to Jackson that he found the public in general accord with the veto and thus not a real issue. In some areas of the East, Van Buren discovered the fact that the opposition press did not mention the subject of internal improvements and did not reprint the veto message. "I must again repeat to you," continued Van Buren, "that the veto message has verily proven to be the most effective document amongst the people. . . ."¹⁰ The

⁸ Charles M. Wiltse, John C. Calhoun, Nullifier 1829-1839 (Indianapolis: The Bobbs-Merrill Company, Inc., [c. 1949]), p. 39. Clay also had suffered a defeat when the Buffalo to New Orleans road bill was defeated in the House (Register of Debates, 21st Cong., 2d Sess., 803-807).

⁹ Wiltse, op. cit., p. 4.

¹⁰ Martin Van Buren to Andrew Jackson, August 26, 1832, Van Buren Papers.

current of public opinion coincided with an earlier sampling in New York, Pennsylvania, and New Jersey during the summer of 1830. Then, Van Buren had found great public interest in the Maysville veto and a favorable reception of the action Jackson had taken. At the time Van Buren wrote that many opposition party members approved of the veto and therefore remained silent while "the Republicans were vociferous in their approbation."¹¹ During the campaign the internal improvement question was only used by the Whigs in western areas in an attempt to cast a shadow on Jackson and Van Buren; the Democrat press, on the other hand, countered all charges and claims with skill and thoroughness. In the course of the campaign Van Buren again stated his position on the question of Federal support for internal improvements in a letter to friends in North Carolina. He referred to the Maysville veto and reiterated his belief in its principles. He recommended that, with the exception of appropriation for aids to navigation, the internal improvement bills should be held in abeyance until the public debt was paid and until "some constitutional regulation upon the subject be made."¹² In this letter he also stated he had no hostility toward

¹¹ Martin Van Buren to Andrew Jackson, July 25, 1830, Van Buren Papers.

¹² Martin Van Buren to Joseph H. Bryan and Others, October 4, 1832, Van Buren Papers.

internal improvement projects, but rather had a desire to prevent "the corrupting influence of these scrambles and combinations in Congress [for appropriations] which have been heretofore witnessed. . . ."13

After the election Van Buren prepared a series of notes on internal improvements for inclusion in Jackson's message to Congress. He again reaffirmed his opinion that Jackson had rescued the country from financial disaster by his prompt and energetic "action regarding the Maysville veto."14

A different view was taken by some opposition forces, including the Niles Weekly Register. Reflecting upon the meaning of the election, one editorial stated:

Two great questions would seem to be settled by this election: the right of Congress to appropriate money for internal improvements is generally denied--and the unconstitutionality and inexpediency of a bank of the United States . . . [is] affirmed.15

While the voters had given their stamp of approval to the Jackson forces, that did not mean that the Federal Government had completely discontinued favorable support for internal improvements. As a matter of record, within four days after the veto, Jackson approved a bill granting 29,528 acres of land to Indiana to subsidize canal construction.16 A new

¹³ Ibid.

¹⁴ Martin Van Buren notes, November 18, 1832. Van Buren Papers.

¹⁵ Niles Weekly Register, November 17, 1832, 177.

¹⁶ Public Statutes, IV, 416.

miscellaneous bill for \$236,400 was also approved. Included in this bill were funds amounting to \$44,000 for roads in Michigan; \$16,400 for a canal survey and construction of roads in Florida; \$100,000 for construction of the Cumberland Road in Ohio, \$50,000 in Indiana, and \$40,000 in Illinois; plus a sum of \$15,000 for past-due claims on the road east of Wheeling.¹⁷

After Congress adjourned, Jackson also pocket vetoed a bill for stock amounting to \$150,000 in the Louisville and Portland Canal Company as well as a miscellaneous bill for coastal and harbor navigation.¹⁸ Before he vetoed the latter bill, Jackson asked Van Buren to come to the White House so that together "we . . . can run our eyes over the whole bill".¹⁹ In the letter Jackson expressed some ideas on the bill and concluded with the statement that "I have been so busy today that I have had no time to examine the lighthouse bill and I now submit these crude ideas to you."²⁰

During the next session of Congress, six internal improvement bills were passed and sent to Jackson for approval. The first such approval was given in February, 1831, when Jackson signed a bill instructing the "engineers of the

¹⁷ Ibid., 427.

¹⁸ Register of Debates, 21st Cong., 1st Sess., Appendix XXXII.

¹⁹ Andrew Jackson to Martin Van Buren, October 18, 1830, Van Buren Papers.

²⁰ Ibid.

of the United States" to complete plans necessary to improve navigation on the Tennessee, Coosa, Catawaba, and Blackwarrior rivers.²¹ This bill was followed in March by a combination rivers and harbors bill affecting thirty localities and one providing for additional lighthouses in nineteen states and territories.²² During the same month Jackson also approved an appropriation of \$103,865 for construction of the Cumberland Road in Ohio, an additional \$75,000 for Indiana, and \$66,000 more for this project in Illinois.²³ These bills were followed by appropriations for a road in Michigan amounting to \$10,000, one in Arkansas for \$15,000, and \$200,000 was provided for improving navigation on the Mississippi and Ohio rivers.²⁴ The final appropriation in 1831 provided ninety feet of land on either side of a canal crossing Florida from Chepola River in the east to St. Andrews Bay in West Florida and a similar grant in East Florida from Matanzas to Halifax.²⁵

During the course of the first session of the 22nd Congress, nine bills were signed by Jackson for various internal improvement projects;²⁶ and in 1833, eight more bills

²¹Public Statutes, IV, 441.

²²Ibid., 459, 488.

²⁴Ibid.

²⁶Ibid., 530, 604.

²³Ibid., 469.

²⁵Ibid., 474, 475.

were approved.²⁷ The following year ten bills were signed²⁸ and in 1835, the year in which the Federal Government had paid all prior debts, there were only four appropriations.²⁹ In 1836 three money bills were signed, including \$600,000 for the Cumberland Road and two railroad right-of-way bills.³⁰

During his final year as President, Jackson signed bills for the Cumberland Road amounting to \$397,183, \$50,313 for surveys and construction of roads in Florida,³¹ plus a lighthouse bill, and one for improvement of various rivers and harbors.³² He also signed three grants to railroads for land; one of which provided four acres of land for depots, watering places and workshops at intervals not less than ten miles in distance.³³

Some historians have stated that more public funds were appropriated for internal improvements during Jackson's administration than during Adams' administration. This is true. It is important to note, however, that of the funds expended, \$2,771,488 was devoted to the Cumberland Road as compared with \$431,825 during the Adams administration.³⁴

²⁷ Ibid., 618, 663.

²⁸ Ibid., 680, 724. James Polk led the foes of federal financing in their successful drive to reduce the appropriation for the Cumberland Road from \$652,000 to \$300,000. Congressional Globe, 23rd Cong., 1st Sess., I, 340, 347, 461.

²⁹ Public Statutes, 752, 758, 777.

³⁰ Public Statutes, V, 17, 65, 67, 71, 121.

³¹ Ibid., 195.

³² Ibid., 181-187, 196-197.

³³ Ibid., 145, 196, 197.

³⁴ Public Statutes, IV, V.

The bulk of the remaining funds were devoted to lighthouses and combination rivers and harbors bills; all were items previously receiving federal aid. Small amounts of money were spent in the territories for roads, and some land grants were made for railroad right-of-ways and canals; however, no stock was purchased or large scale land grants were made during the Jackson administration.

As Jackson's heir-apparent, Van Buren was swept into the office of the presidency in 1836 by an electoral vote of one hundred seventy to one hundred and twenty-four. Jacksonian popularity and widespread prosperity helped to elect Van Buren who appealed to the masses as a poor boy who had made good. When he became President, Van Buren did not refer directly to his position on the question of federal support for internal improvements in his inaugural address. He did say that he would follow a strict construction of the Constitution which seemed to infer he would continue to oppose internal improvements and a national bank.³⁵

Numerous unsuccessful attempts were made to change Van Buren's views on the question of a strict construction of the Constitution when the country was plunged into a serious financial panic two months after his inauguration. Many reasons have been advanced for the causes of this serious

³⁵Richardson, op. cit., IV, 1536.

financial reverse, including the success of the Erie Canal. This triumph for New York had generated many internal improvement projects and "over-trading, speculation and investments in unproductive undertakings became the dominant role in American society. . . ." ³⁶ Newly created banks and the issuance of paper money without regard to specie were other prime factors underlying the Panic, for it fed the inflationary forces at work in the economy. The removal of deposits from the United States Bank after its termination also was an important factor causing the Panic, because banks receiving governmental deposits took advantage of the situation and rapidly expanded their loans. ³⁷

As a consequence of the denial of federal aid for internal improvements, the promoters of canals and roads turned to other methods of financing their projects. The ease of securing financing for construction of roads and canals resulted in the start of many projects of dubious value. The states, and their subdivisions, through their elected leaders, seemed willing to push ahead on projects that were purported to aid their state and locality and to enhance its prestige. ³⁸

³⁶Reginald Gerald Mc Grane, The Panic of 1837: Some Financial Problems of the Jacksonian Era (Chicago: The University of Chicago Press, [c. 1924/), p. 81.

³⁷Ibid.

³⁸Richard Wade, The Urban Frontier (Cambridge: Harvard University Press, 1959), p. 184. The city of Lexington, Kentucky dropped all efforts regarding the Maysville Road

Canals, railroads, and highway construction were popular subjects for public discussion, and local pride was a strong force in securing needed approval of state, county, and city projects. Even in stolid, normally conservative Virginia, the legislators "were willing to vote for any internal improvement scheme, and to borrow any amount to carry it out."³⁹ The plea for fiscal sanity was not welcomed or heeded by the majority, and loan after loan was made "without any means being provided to meet the interest annually, or to pay the principal when it should fall due."⁴⁰

Canal promoters and friends of these projects urged local businessmen and small investors to purchase stock for patriotic reasons as well as for financial gains. Societies were formed for the express purpose of promoting specific ventures. They emphasized the value to be derived in the form of population growth, increased land values, and the social, religious, and educational advantages--all designed to help future generations of Americans while joining in the "spirit of the time."⁴¹ These arguments and exhortations were used prior to the Maysville veto; however, after the veto they were used more frequently and with great success to secure the start of numerous projects.

and just two months after the veto, formed a corporation to build the Lexington and Ohio Railroad.

³⁹ Mc Grane, Foreign Bondholders and American State Debt, p. 22.

⁴⁰ Ibid.

⁴¹ Goodrich, op. cit., pp. 3-4.

By 1837 it was estimated that approximately \$100,000,000 of foreign capital had been drained from European money markets. The success of the Erie Canal, as well as similar projects in Europe, had opened the coffers of Europe and was largely responsible for the ease with which high interest rate canal and road bonds were sold.⁴² Seven per cent bonds were common versus five per cent in Europe.⁴³

During the boom period, 1830 to 1837, business was somewhat stagnant in Europe; but returning business prosperity and investment opportunities at home competed with the American market and thus helped to stem the flow of easy money.⁴⁴ With the return of prosperity in Europe, the Bank of England in 1838 raised the prime loan rates on bills of exchange to further help stem the outflow of gold and provide money for European investments. Then too, "crop failures and grain shortages drained \$40,000,000 from the Bank of England. . . ."⁴⁵ This sudden drain caused English bankers to call many loans made to individuals and state governments in the United States. As a result of these demands and the

⁴²Richard Hildreth, The History of Banks (Boston: Hilliard, Gray and Company, 1837), p. 91.

⁴³Mc Grane, op. cit., pp. 8-9. By 1838 the total indebtedness of the states heavily committed to internal improvement projects amounted to \$170,000,000 (Taylor, op. cit., pp. 372-375).

⁴⁴Hildreth, op. cit., p. 91.

⁴⁵Mc Grane, op. cit., p. 206.

financial distress caused by the Panic of 1837, payments on loans became difficult to make and financial disaster threatened many communities.

To discourage additional requests for loans one English banking house, Baring Brothers of London, in 1839 issued an advisory that if individual states continued to seek money for new internal improvement projects, they would need a pledge signed by the Federal Government before financing could be arranged.⁴⁶ This statement effectively ended the requests for overseas loans. Another factor that diminished requests for loans was the pressure exerted by the voters to "abandon the field of transportation to the corporations."⁴⁷ Early in the canal building era, suggestions by promoters of internal improvement projects that taxes could be reduced or eliminated had been well received by businessmen and other taxpayers. Now, however, their hopes had been shattered, "public credit was threatened, and the taxes, far from being wiped out, had actually increased. . . ."⁴⁸ As a result, the question of public financing quickly lost popularity.

Van Buren was well aware of this change of attitude and resisted all efforts to change his policy regarding

⁴⁶Niles Weekly Register, November 16, 1839, 177.

⁴⁷Turner, op. cit., p. 589.

⁴⁸Taylor, op. cit., p. 53.

federal aid for business enterprises and in particular the expenditure of public funds for internal improvements. In his first annual message to Congress he reiterated his attitude when he said: "all communities are apt to look to government for too much."⁴⁹ The internal improvement forces heeded his words and no new financing schemes were instituted during Van Buren's Presidency. He did approve seven bills during his first year in office, including one amounting to \$450,000 for construction of the Cumberland Road which was split equally between Ohio, Indiana, and Illinois.⁵⁰

Two other bills provided assistance for Wisconsin: \$44,000 for roads and ten sections of land to be used to defray construction cost of a canal.⁵¹ Other bills provided funds to complete the removal of the great raft in the Red River between the states of Arkansas and Louisiana amounting to \$70,000; construction of a road in Florida amounting to \$37,300; a lighthouse bill plus a combination rivers and harbors bill in sixty-nine localities amounting to \$1,315,111.⁵²

The following year Van Buren approved five bills amounting to \$474,331; of this amount \$394,331 was devoted to a miscellaneous lighthouse bill. The remaining sum of \$80,000

⁴⁹Richardson, op. cit., 1561.

⁵⁰Public Statutes, 228.

⁵¹Ibid., 245, 303-304.

⁵²Ibid., 228, 261, 268, 270, 289-292.

was programmed for three roads in Iowa, amounting to \$28,500 plus \$1500 to survey rivers; improvement of river navigation in Florida \$28,000; and two bills for improving roads, constructing piers, and conducting a survey for a railroad in Wisconsin amounting to \$22,100.⁵³

During the final two Congressional sessions of Van Buren's administration no public funds or lands were appropriated for internal improvements. In his fourth message to Congress in 1840 he again referred to his belief that there should be

A total abstinence from the exercise of all doubtful powers on the part of the Federal Government rather than in attempts to assume them in loose construction of the Constitution or an ingenious perversion of words.⁵⁴

By this time Calhoun, serving as a United States Senator, had deserted the internal improvement movement. He strongly supported Van Buren's stand on this important question and became a staunch foe of Clay's "American System." In 1840, during a debate on another extension of the Cumberland Road, Calhoun stated that he "was thoroughly satisfied that the General Government was wholly unfit to carry on works of internal improvements. . . ." ⁵⁵

⁵³Ibid., 328, 330-331, 345, 352-353. Funds for projects in new territories such as Iowa, Wisconsin, Florida and Arkansas were approved as part of the feeling of nationalism or manifest destiny process that was very much in evidence during this period.

⁵⁴Richardson, op. cit., V, 1831.

⁵⁵Richard C. Crallé' (ed.), The Works of John C. Calhoun (New York: D. Appleton and Company, 1853), III, p. 488.

In the same speech he showed that the government had spent nearly \$10,000,000 since its inception for internal improvements. Of this amount, Kentucky, South Carolina, and Virginia had received no federal help while Tennessee had received only \$27,000 and Georgia a meager \$17,000.⁵⁶ It was clear to him that, "the expenditures appear to have been governed by importunity and political influence, with little or no regard for justice or utility."⁵⁷ He urged the members of Congress to awake from their prolonged slumber and stop wasting federal money on the myriad number of projects that could drain the treasury, including the "overgrown eleemosynary pension list. . . ."⁵⁸

In addition to the help received from Calhoun during the legislative session, the slackening of public interest was also of considerable value in helping to end federal financing. The support received from Calhoun in the defeat of the Cumberland Road Bill was helpful in the South during the campaign of 1840. The Democratic party "adopted a strict construction platform, denying the power of Congress to carry on internal improvements."⁵⁹ The Whig platform was

⁵⁶ Ibid., p. 493. This figure included cash expenditures through the year 1832.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ William M. Holland, The Life and Political Opinions of Martin Van Buren (Hartford: Belknap and Hammersley, 1836), pp. 269-274.

based on the "American System" but was pushed into the background, for the campaign was largely one of personalities and little mention was made of issues. As Professor Turner said, "the Whigs sang their way through the campaign. . . ." ⁶⁰

The internal improvement debates that had taken place at the state level, however, caused much discontent in the Western states and helped to set the stage for the election of another "Hero", General William H. Harrison. ⁶¹ The Panic of 1837, which caused great financial distress to all segments of the nation, also proved to be a major factor in the rejection of Van Buren by the voters.

During the next decade the federal government resumed the practice of granting a portion of the proceeds of the sale of land to new states for use in building roads and canals. This had been a standard practice for all territories admitted as states between 1806 and 1820. After Harrison's early demise, John Tyler of Virginia assumed the Presidency and looked with disfavor upon Clay's ideas on internal improvements. Tyler had strong convictions regarding states' rights and, like Van Buren, relied on the Constitution for guidance on internal improvements and

⁶⁰ Turner, op. cit., pp. 481-483. Harrison was portrayed as a log-cabin-born frontiersman who was for the common man. Footlights, slogans, parades, and songs were used extensively.

⁶¹ Ibid., p. 482.

rigid economy in governmental appropriations. This was clearly reflected in his inaugural address in 1841.⁶²

Until Van Buren reentered national politics in 1848, appropriations for internal improvements were limited to aid to navigation. As the presidential nominee of the "Free Soil" party, Van Buren again stated his opposition to federal financing of internal improvement projects.⁶³ The Whig nominee, Zachary Taylor, and the Democrat, Lewis Cass, however, bypassed this issue and campaigned on a "personality basis."⁶⁴ While his bid for election failed, nevertheless he had by this time achieved a long-time goal of halting a great outflow of Federal funds for internal improvements. As Van Buren said after the campaign:

We have had two administrations of the Federal Government whose politics were of a Governmental-improvement stamp, but none of the old projects have been brought forward--resolutions in favour of Internal Improvements have been dropped from the partisan platform of the party that supported those administrations.⁶⁵

⁶²Richardson, op. cit., 1891-1892. Tyler stated in his first annual message that state debts had risen to \$200,000,000 (ibid., 1940.).

⁶³Lynch, op. cit., p. 517. This platform included the slogan, "Free Soil, Free Speech, Free Labor and Free Men. . . ." (ibid.).

⁶⁴Holman Alexander, Zachary Taylor (Indianapolis: The Bobbs-Merrill Company, [c. 1951/], p. 46.

⁶⁵Van Buren, Autobiography, 338.

CHAPTER VII

SUMMARY

The question of internal improvements played a significant role in the early years of the political career of Martin Van Buren. While serving his first term in the New York State Senate, he became deeply involved in the controversy regarding the construction of the Erie Canal. It was only through the skillful help of Van Buren that opposition forces were defeated when the bill authorizing the start of construction was voted on. After construction had begun, it was his unwavering support that helped to thwart numerous attempts to hinder or stop progress on this monumental work.

When he first entered the United States Senate, Van Buren was sympathetic towards the idea of internal improvements at federal expense. After he studied the question in depth, the freshman senator discovered that the expenditure had been termed unconstitutional, as the Constitution was written, by such statesmen as Hamilton, Jefferson, Madison, and Monroe. Beyond the question of unconstitutionality was Van Buren's concern about the financial impact on the Treasury of the large number of requests for federal aid. As a result Van Buren made two attempts to secure an amendment to make such expenditures lawful and thus end the continual bickering and dissension that ensued whenever

internal improvement expenditures were debated. After two unsuccessful attempts to secure an amendment, Van Buren became the leading opponent of all federal aid proposals concerning internal improvements.

Political considerations no doubt also played a role in his final decision to oppose federal financing, for Van Buren was aware of the political success enjoyed by such political leaders as Clay, Calhoun, Webster, and Adams because of their stand on this popular question. If Van Buren had failed in his attempts to halt these schemes, his political future might have been seriously jeopardized.

When Van Buren became Secretary of State he systematically and methodically exerted his influence on Jackson regarding the dangers inherent in the numerous internal improvement proposals under consideration in Congress. Van Buren was well aware of Jackson's support of internal improvement bills when they served together in the United States Senate and while Jackson's inaugural address skirted the issue briefly, his first message to Congress indicated no opposition to the expenditure of public funds for roads and canals. As a result of this situation, Van Buren proceeded with the utmost patience and skill in his attempt to alter Jackson's opinion on such expenditures.

From the evidence available it appears that Van Buren's ability to successfully counsel Jackson on the evils accompanying such expenditures and the absolute necessity for

ending these raids on the Treasury had an important bearing on Jackson's veto of the Maysville Road Bill in 1830. The veto culminated a five year struggle by Van Buren to slow down the apparent headlong rush toward fiscal instability and irresponsibility by the Federal Government. The fact that the public debt was eliminated in 1835, while Van Buren served as Vice-President, was due in a large degree to this change in Jackson's opinion.

As a result of Van Buren's dedication to Jeffersonian principles and his astute party leadership, the Federal Government did not succumb to the clarion call of road and canal promoters. While serving as President the financial stability of the Federal Government was maintained during and after the Panic of 1837. This was accomplished by his firm resistance to demands by political and business leaders to alter his stand. Federal aid for internal improvements was not a major political factor after the Jackson era, and large sums of public monies were not appropriated for this sort of thing for over one hundred years.

The accomplishments of this first native-born President of the United States were considerable when viewing his background. If history judges men by their competition and contemporaries, few men have had a greater chance to falter and fade into the background from which they came than did Martin Van Buren. Later students of American history have

tended to underestimate the accomplishments and dedication of the eighth President of the United States. Careful study of his life would seem to indicate that Van Buren was a man of principle. His stand on the question of federal financing of internal improvements tends to substantiate this conclusion.

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